

EXPRESS MAIL LABEL NO. EL813858806US

PATENT APPLICATION

Docket No. 11527.355

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

in re application of

Khemani et al.

Serial No. 10/087.718

Confirmation No. 7476

Filed: March 1, 2002

For: BIODEGRADABLE FILMS AND SHEETS
SUITABLE FOR USE AS COATINGS, WRAPS
AND PACKAGING MATERIALS

Examiner: Not Yet Assigned

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MAY 13 2002
TC 1700

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof is also enclosed.

In accordance with 37 C.F.R. § 1.98(c), all English translations within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) of each nonenglish reference, if any, are also enclosed.

Statement of Relevance of References Listed
Unaccompanied by English Translation
Under 37 C.F.R. § 1.98(a)(3)

In accordance with 37 C.F.R. § 1.98(a)(3), the following concise explanation of the relevance of each listed reference that is not in the English language and unaccompanied by a translation into English is provided.

WO 90/05161: In the manufacture of thermoplastically processable starch, an additive is essentially mixed with native or natural starch and the mixture is caused to melt by the application of heat and mechanical energy. The additive is a substance which lowers the melting point of the starch so that the melting point of the starch together with this additive lies below the decomposition temperature of the starch while, in addition, the additive has a solubility parameter of over $15 \text{ cal}^{1/2} \text{ cm}^{-3/2}$. Once the starch-additive mixture has melted, the molten substance is mixed until it is at least virtually homogenous. In the melting range of the starch-additive mixture, the vapour pressure of the additive should be lower than 1 bar.

WO 96/15173: Biodegradable polyesters P1 obtainable by the reaction of a mixture consisting essentially of (a1) a mixture essentially of 35 to 95 mol% adipic acid or ester-forming derivatives thereof or mixtures thereof, 5 to 65 mol% terephthalic acid or ester-forming derivatives thereof or mixtures thereof, and 0 to 5 mol% of a sulphonate group-containing compound in which the sum of the individual mol percentages is 100, and (a2) a dihydroxy compound selected from the group consisting of C_2 - C_6 alkane diols and C_5 - C_{10} cycloalkane diols, in which the molar ratio of (a1) and (a2) is in the range from 0.4:1 to 1.5:1, provided that the polyester P1 have a molecular weight (M_n) in the range from 5000 to 50,000 g/mol, a viscosity index in the range from 30 to 350 g/ml (measured in o-dichlorobenzole/phenol (in a ratio by weight of 50/50) at a concentration of 0.5 wt.% polyester P1 at a temperature of 25 °C) and a melting point in the range from 50 to 170 °C, and with the further proviso that from 0.01 to 5 mol% in relation to the molar quantity of the component (a1) used of compound D with at least three groups capable of forming esters are used to produce the polyesters P1, and other biodegradable polymers and thermoplastic moulding compounds and adhesives, biodegradable mouldings, foams and blends with starch obtainable from the polymers or moulding compounds of the invention.

WO 96/15174: Biodegradable polyether ester p1 obtainable by the reaction of a mixture consisting essentially of: (a1) a mixture essentially of 20 to 95 mol% adipic acid or ester-forming derivatives thereof or mixtures thereof, 5 to 80 mol% terephthalic acid or ester-forming derivatives thereof or mixtures thereof, and 0 to 5 mol% of a sulphonate group-containing compounds in which the sum of the individual mol percentages is 100; and (a2) a mixture of dihydroxy compounds consisting essentially of (a21) 15 to 99 mol% of a dihydroxy compound selected from the group consisting of C_2 - C_6 alkaline diols and C_5 - C_{10} cycloalkane diols; (a22) 85 to 0.2 mol% of an ether function-containing dihydroxy compound as in formula 1 $HO-[(CH_2)_n-O]_m-H$ in which n is 2, 3 or 4 and m is a whole number from 2 to 250, or mixtures thereof, in which the

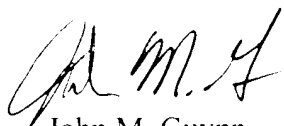
molar ratio of (a1) to (a2) is in the range from 0.4:1 to 1.5:1 with the proviso that the polyether esters P1 have a molar with (M_n) in the range from 5,000 to 80,000 g/mol, a viscosity index in the range from 30 to 450 g/ml (measured in o-dichlorobenzole/phenol (weight ratio 50/50) at a concentration of 0.5 wt.% polyether esters P1 at a temperature of 25° C) and a melting point in the range from 50 to 200° C, and with the further proviso that from 0.01 to 5 mol%, in relation to the molar quantity of the components (a1) used, of a compound D with at least three groups capable of ester formation are used to produce the polyether esters P1, and other biodegradable polymers and thermoplastic moulding compounds, process for their production and biodegradable mouldings, adhesives, foams and blends with starch obtainable from the polymers or moulding compounds of the invention.

Since all other listed references are either in the English language or are accompanied by a translation into English, no concise explanation of relevance is required under 37 C.F.R. § 1.98(a)(3).

Since references are being submitted within (3) months of the filing date, no fee is required. Please credit any overpayment or charge any additional fees to Deposit Account No. 23-3178 of the undersigned. Duplicate copies of this sheet are attached.

Dated this 2nd day of May 2002.

Respectfully submitted,





John M. Guynn
Attorney for Applicants
Registration No. 36,153



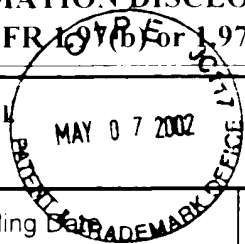
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PATENT TRADEMARK OFFICE

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10) Applicant(s): Khemani et al.			Docket No. 11527.355	
Serial No. 10/087,718	Filing Date March 1, 2002	Examiner Not Yet Assigned		Group Art Unit 1711
Invention: BIODEGRADABLE FILMS AND SHEETS SUITABLE FOR USE AS COATINGS, WRAPS AND PACKAGING MATERIALS				
<div style="text-align: right; font-size: 1.5em; font-weight: bold; margin-bottom: 10px;">RECEIVED</div> <div style="text-align: right; font-size: 1.2em; margin-bottom: 10px;">MAY 13 2002</div> <div style="text-align: right; font-size: 1.5em; font-weight: bold;">TC 1700</div> <p style="margin-top: 20px;">I hereby certify that this <u>Information Disclosure and other documents as listed below</u></p> <p style="text-align: center; font-size: 0.8em;">(Identify type of correspondence)</p> <p style="margin-top: 20px;">is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on</p> <p style="margin-left: 100px;">May 7, 2002</p> <p style="margin-left: 100px; font-size: 0.8em;">(Date)</p> <div style="display: flex; justify-content: space-between; margin-top: 40px;"> <div style="width: 40%;">  <p style="font-size: 1.2em; font-weight: bold; margin-top: 5px;">022913</p> <p style="font-size: 0.8em; margin-top: 10px;">PATENT TRADEMARK OFFICE</p> </div> <div style="width: 50%; text-align: center;"> <p style="font-weight: bold; margin-bottom: 5px;">John M. Guynn</p> <p style="font-size: 0.8em; margin-bottom: 10px;">(Typed or Printed Name of Person Mailing Correspondence)</p>  <p style="font-size: 0.8em; margin-bottom: 10px;">(Signature of Person Mailing Correspondence)</p> <p style="font-weight: bold; margin-bottom: 5px;">EL813858806US</p> <p style="font-size: 0.8em; margin-bottom: 10px;">("Express Mail" Mailing Label Number)</p> </div> </div> <p style="text-align: center; margin-top: 40px; font-weight: bold;">Note: Each paper must have its own certificate of mailing.</p> <div style="margin-top: 30px;"> <p>Transmitted: Information Disclosure Statement</p> <p>Form PTO-1449 Listing Eighty-Two (82) References</p> <p>Copies of the Listed References</p> <p>Transmittal Letter</p> <p>Postcard</p> </div>				

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) For 1.97(c))			Docket No. 11527.355
In Re Application Of: Khemani et al			
Serial No. 10/087,718	Filing Date March 1, 2002	Examiner Not Yet Assigned	Group Art Unit 1711
Title: BIODEGRADABLE FILMS AND SHEETS SUITABLE FOR USE AS COATINGS, WRAP AND PACKAGING MATERIALS			
Address to Assistant Commissioner for Patents Washington, D.C. 20231			
<div style="text-align: center;"> 37 CFR 1.97(b) </div> <p>1. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.</p> <div style="text-align: center; padding: 10px 0;"> 37 CFR 1.97(c) </div> <p>2. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:</p> <div style="margin-left: 40px;"> <input type="checkbox"/> the statement specified in 37 CFR 1.97(e); </div> <div style="text-align: center; margin: 10px 0;"> OR </div> <div style="margin-left: 40px;"> <input type="checkbox"/> the fee set forth in 37 CFR 1.17(p). </div>			



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TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

(Under 37 CFR 1.97(b) and 1.97(c))

Docket No.

11527.355

In Re Application: Khemani et al.

MAY 07 2002

Serial No.

10/087,718

Filing Date

March 1, 2002

Examiner

Not Yet Assigned

Group Art Unit

1711

BIODEGRADABLE FILMS AND SHEETS SUITABLE FOR USE AS COATINGS, WRAPS AND
PACKAGING MATERIALS

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MAY 13 2002

TC 1700

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of _____ is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 23-3178 as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of _____
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

Certificate of Transmission by Facsimile*

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (F

(Date)

Signature

Typed or Printed Name of Person Signing Certificate

Certificate of Mailing by First Class Mail

I certify that this document and fee is being deposited with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Certificate

*This certificate may only be used if paying by deposit account.

Dated: May 2, 2002

John M. Guynn

Attorney for Applicants

Registration No. 36,153



022913

PATENT TRADE MARK OFFICE

CC:

EXPRESS MAIL LABEL NO. EL813858806US

Form PTO-1449

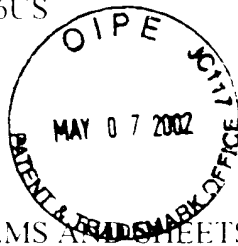
Applicant: Khemani, et al.

Serial No. 10/087,718

Filing Date: March 1, 2002

Confirmation No. 7476

For: BIODEGRADABLE FILMS AND SHEETS SUITABLE FOR USE AS COATINGS,
WRAPS AND PACKAGING MATERIALS



Sheet 7 of 7

Att'y Docket No. 11527.355

Group Art Unit: 1711

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TC 1700

References Cited by Applicants

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1", "A2", etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A", "B", "C", etc. on Office Action Form PTO-1142.

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Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.